

**California School Finance Authority  
Charter School Facility Program  
June 11, 2003**

**STAFF SUMMARY**

**Prepared by Lara Larramendi-Blakely**

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**Issue:** Staff Requests approval of a resolution under the Charter School Facility Program (Program) to:

- Adopt permanent regulations for the implementation of the Program; and
  - Authorize staff to undertake permanent rulemaking proceedings with the Office of Administrative Law (OAL) to implement the proposed regulations.
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**Background:** The Authority approved emergency regulations for the Program at its January 22, 2003 meeting. CSFA staff filed an emergency rulemaking file with OAL on February 3, 2003, and emergency regulations became effective on February 13, 2003. These emergency regulations are in effect for the purpose of CSFA's preliminary financially sound determinations also scheduled for Board action June 11, 2003. CSFA has 120 days, until June 13, 2003, to file a rulemaking to convert the emergency regulations to permanent regulations.

During the forty-five day public comment period, CSFA did not receive any public comments. The permanent regulations have not changed from those originally adopted as emergency regulations in January 2003.

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**Regulatory Process:** Upon Authority approval of the permanent rulemaking, staff will complete and submit a permanent rulemaking file to OAL to include the initially approved Emergency Regulations and the Permanent Regulations. OAL will have thirty working days to review and approve the Permanent Regulations. Upon OAL approval of the amendments, OAL will file the regulations with the Secretary of State. After a thirty calendar day waiting period, the regulations will become effective as permanent regulations. It is estimated that the permanent regulations will become effective in August 2003. The emergency regulations will remain in effect until then.

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**Recommendation:** Staff recommends approval of the attached resolution to adopt the permanent regulations and to authorize staff to undertake permanent rulemaking proceedings and other actions related thereto to implement the regulations.